

construction of the security fence is necessary for the protection of Israeli citizens.

Mr. Speaker, the security fence is doing exactly what it was designed to do: save lives. Since the fence's construction, there has been a dramatic decline in the number of suicide attacks. This was the first suicide attack in Israel in 5 months. There have been only nine suicide attacks in Israel this year, down from 23 last year. While even one attack is clearly too many, the fence is clearly making a difference.

For those in the international community who questioned the route of the fence, the Israeli Government has stated that the fence is temporary and can be moved or rerouted contingent on future peace agreements. Furthermore, the Israeli Government has also proven its willingness to reroute the fence. When the Israeli Supreme Court declared early this year that a section of the fence impeded on the civil rights of Palestinians living in the area, the fence was, in fact, moved.

Mr. Speaker, I have spoken on several occasions here on the House floor of my visit to Israel last year and my opportunity to view the security fence firsthand. After my visit, I believe very strongly that we need to support Israel's right to protect their citizens. This fence provides a sense of security to border families and to outerlying cities like Beersheba that remain unprotected. The fence will help prevent continued attempts to derail the peace process through violence.

Mr. Speaker, another point that I want to mention that is related to the terrible attacks in Beersheba is the issue of Syria's decision to continue to turn a blind eye to Hamas and other terrorist organizations that operate within their borders. I ask my colleagues to join with me in calling on the Syrian Government to immediately turn over the leaders of Hamas to the Israeli Government for their responsibility in last week's attacks.

I fully support continued U.S. sanctions against Syria provided for under the Syria Accountability Act. If we are serious about achieving lasting peace in the region, we cannot allow Syria to continue to play host to Hamas, Hezbollah, and other terrorist groups.

#### LOCAL SCHOOL DISTRICTS NOT RECEIVING FEDERAL FUNDING

The SPEAKER pro tempore (Mr. KING of Iowa). Under a previous order of the House, the gentleman from New Mexico (Mr. PEARCE) is recognized for 5 minutes.

Mr. PEARCE. Mr. Speaker, one of the constant comments and questions that I have had regarding our education policy on the Federal level is that local teachers have constantly said, we think that the No Child Left Behind provisions are underfunded; we think that it is an unfunded mandate. Our office has continually researched the

problem, and we recognize that in the last 10 years, Federal funding has increased from \$23 billion to \$56 billion, a 132 percent increase. So, Mr. Speaker, the numbers never quite matched the explanations that were coming from our teachers in the district. Knowing that the teachers were, to their best knowledge, presenting the facts as they were told them, we began to dig even deeper.

In July, it began to come to our attention that many times the funds that we have allocated on the Federal level have not been made available from the States to their local school districts. I am not sure exactly why that has occurred, but it still is a fact that, for instance, in New Mexico, we have \$78 million in unspent Federal funds. The situation is even so bad that \$16.7 million has been allocated so long that now it is going to revert to the Federal Government on September 30.

So as I spent my time at home during the summer recess the last week of July and the 4 weeks of August, I began to talk to the teachers and the principals and explain to them that much of the money, much of the \$78 million that is there and is available is actually in title I funding that is for the low-income programs. And then also, there is money for the Reading First programs. New Mexico needs both of those kinds of fundings in the extreme. The teachers and principals were somewhat shocked to find out that as they were telling me there was no funding for No Child Left Behind, that actually there were unspent funds, and then we began to understand that possibly the facts that were given to the teachers and to the principals were not the same as existed in reality.

In July, I had the opportunity to meet with three principals from my district who were here in Washington for a national conference. I began to bring my concerns to the attention of these three principals and gave them the facts about the unspent money in New Mexico. One of the principals took it on himself to share those facts with the leadership of this conference, with that national conference, and with the other principals in attendance in the meeting. Upon hearing the information, to their credit, the national leaders at the conference began to do their own research, and they found that almost every State has the same problem, that money has been allocated, but the State departments of education are not either making people aware of it, or maybe there are just no requirements for these monies; and no one is making application for the grants that could improve the education to our students in America. They have been funded already; and yet, sadly, the money is not being allocated.

The situation was so extreme that one State, on September 30, is losing \$16.7 million because the time has elapsed in which it is possible for the State to make application. One State has the extreme circumstance of turn-

ing back on September 30 \$90 million. And across the Nation, teachers are being told that No Child Left Behind is not funded, that it is an unfunded mandate. But, Mr. Speaker, the facts are exactly opposite, that the funds are there and they are available; it is just that the local schools and the principals are not made aware of it.

This national association felt so compelled that they stopped their intent. Their intent was to have a national education advertising program criticizing the unfunded mandate of No Child Left Behind; and this national organization decided, based on the facts that were provided by my staffer to them, that, in fact, they were not going to run this national ad, and they could no longer contend No Child Left Behind as an unfunded mandate.

□ 2100

Just some of the figures so that my colleagues would understand, Mr. Speaker, total dollars unspent on the Federal level, \$13.4 billion. Under education for the disadvantaged, \$5.2 billion is unspent. Special education, \$3.9 billion is unspent. School improvement programs, \$3.38 billion is unspent. English language acquisition, \$231 million is unspent. Vocational adult education, \$701 million is unspent, and yet the teachers unions nationwide are castigating anyone who supports No Child Left Behind for supporting an unfunded mandate, and I would respectfully make the observation that their facts appear to be in error.

Mr. Speaker, I just wanted to bring these facts to my colleagues' attention and possibly to the attention of other legislators.

The SPEAKER pro tempore (Mr. KING of Iowa). Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

(Mr. STRICKLAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### REMEMBERING SEPTEMBER 11, 2001

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from New York (Mr. NADLER) is recognized for 60 minutes as the designee of the minority leader.

Mr. NADLER. Mr. Speaker, on September 11, 2001, 3 years ago, I watched in horror as America, and part of my district specifically, was attacked and destroyed. The extreme sense of pain and loss I felt as a New Yorker and as an American, as someone who knew many of the victims, does not even begin to match the pains that the families of that attack must have felt.

This attack on the United States was an attack, a deliberate attack on civilians. It was a deliberate attempt to kill as many American civilians as possible for the simple and great crime of being

Americans. This we will never forget, and we must never forgive.

We must not allow ourselves to forget how vulnerable we have become and how we must change that vulnerability. We know that we are not as safe as we should have been on September 11, 3 years ago, and we still mourn the thousands who died that day.

The 9/11 Commission charged with investigating the tragic events of September 11 released its unanimous report that should help us ensure that this type of attack does not happen again. Democrats are fighting to implement the Commission's recommendations, but the Republicans, by and large, who fought the creation of the Commission and tried prematurely to end its work are still dragging their feet.

President Bush strongly opposed any independent inquiry into the 9/11 attacks. He argued that it would duplicate a probe conducted by Congress. In July 2002, his administration issued a statement of policy that read, The administration would oppose an amendment that would create a new commission to conduct a similar review. Such an amendment is duplicative and would cause a further diversion of essential personnel from their duty fighting the war.

House majority leader, the gentleman from Texas (Mr. DELAY), opposed the creation of the 9/11 Commission. I quote from a CNN interview on May 22nd, 2002, by the gentleman from Texas (Mr. DELAY): We are at war, and when you are at war, you have to worry about making public a lot of things that should be kept private for you to fight the war. An independent commission by its very nature is very public. Frankly, it has only been asked for by people that are running for President.

Mr. DELAHUNT. Mr. Speaker, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Who is he referring to when he indicated that only those that were running for President would support the creation of an independent commission?

Mr. NADLER. Well, I do not know because President Bush flip-flops. So maybe he is referring to President Bush after he decided to support it. The gentleman from Texas (Mr. DELAY) flip-flops, and maybe he is referring to himself. Maybe he is referring to the families of the 9/11 victims who were the leading proponents of an independent commission. He may have been referring to Democrats who were, in fact, running for President, or who a year later ran for President, such as Senator KERRY and Howard Dean and others who did support this. Most Democrats supported it, but the majority of the Americans supported it, and I do not think the majority of Americans ran for President.

Mr. DELAHUNT. Mr. Speaker, well, again, I am surprised that the Repub-

lican leader in this House made that statement, because, according to our information, upon our return, based on the 9/11 Commission's report, the majority leader has now announced that he hopes to have legislation before this House dealing with the concerns that were expressed by the 9/11 Commission. Am I confused?

Mr. NADLER. No, no, you are quite correct, and as I am going to show in recounting the history here in a few minutes, the gentleman from Texas (Mr. DELAY), bowing to Democratic pressure and to common sense, flip-flopped and did change his mind and is, or at least he says he is, supporting legislation. We still wait to see the legislation to implement the Commission's report, after the administration first did not want to do that.

Mr. DELAHUNT. Well, again, just to be clear in my mind, and I am sure that those who might be viewing our conversation this evening want clarity, what you are suggesting is that when the concept or the proposal of an independent commission looking into the events and the failures that led to our national tragedy on 9/11, it was President Bush and Vice President CHENEY that steadfastly refused to accept the creation of that Commission; is that correct?

Mr. NADLER. That is correct. It was President Bush, Vice President CHENEY and the Republican leadership in both Houses of Congress who steadfastly opposed the creation of that Commission and eventually bowed to pressure coming from Democratic leaders in Congress and Democrats in Congress, from the families of the victims, from the press and from the American people at large, and eventually they bowed to that pressure and they flipped-flopped, and they reluctantly allowed the Commission to be created.

Mr. DELAHUNT. If the gentleman will continue to yield, now they embrace, and I congratulate them with enthusiasm, the 9/11 independent Commission's report, and hopefully before we adjourn for this year, for this particular session, a review of their recommendations with appropriate legislation can be passed.

Mr. NADLER. Well, that is correct. Again, they sought to delay it. They sought to oppose it. They sought to appoint Henry Kissinger to chair it. That did not fly when the public screamed at that because Mr. Kissinger was hardly an objective leader, as Governor Kean and former Congressman Hamilton have proven to be. And even after the Commission issued its recommendations, the President said he was going to file the recommendations and appoint an intelligence czar, but he also said that that intelligence czar would have no real power. But yesterday he flip-flopped on that and finally bowed to the pressure of the Commission, and the American people, and the families of the victims, and the Democrats who have been pushing to implement the recommendations of the Commission

and give the intelligence director that would be created by this recommendation real power. The President flip-flopped on that yesterday and came to the right decision finally yesterday.

Mr. DELAHUNT. If the gentleman would yield once more, I believe it is important that the American people and our colleagues be reminded that this independent Commission that produced a document, again that has been widely praised and embraced, now by President Bush, by the Republican majority, by Democrats and others, and the American people, that this independent Commission was bipartisan in nature.

You and I are aware that the former ranking member on the House Committee on International Relations, Lee Hamilton, was the vice chair. Mr. Hamilton was a Democrat and continues to be a Democrat, and the former Governor of New Jersey, Tom Kean, is a Republican, continues to be a Republican.

Mr. NADLER. He was the Chairman.

Mr. DELAHUNT. And he was the Chairman, and that was a bipartisan Commission.

Mr. NADLER. Yes. This was a bipartisan Commission that was appointed by the President after the President and the Vice President and the Republican leadership in Congress continued to oppose its creation but eventually flip-flopped.

Now, in fact, the House Republicans bowed to White House pressure in resisting creation of this Commission, and I quote the gentleman from Florida (Mr. Goss), who is now the President's nominee for Director of the CIA ironically. He stated, and he was quite honest, in the Baltimore Sun on June 14, 2002, I am very much aware that we have a good working relationship with the White House. Access to information is working well, he said, and I do not want anything to interfere with that. The White House is not interested in this Commission; hence, I am not for bringing the subject up.

Then they bowed to pressure; they supported it. Finally in late 2002, after opposing it for a year, President Bush flip-flopped and finally agreed to support an independent investigation into the 9/11 attacks after the congressional committees that were looking into this unearthed more and more examples of intelligence lapses.

But then, having been forced to accept the creation of the Commission, a bipartisan Commission, five members of either party headed by former Governor Kean, a Republican, and former ranking member Hamilton, a Democrat, they tried to stop the Commission's work.

The Bush administration and Speaker HASTERT fought to close down the Commission prematurely, after delaying, after refusing to give them information so they could get their work started. Remember that, when the 9/11 Commission because of these delays needed to seek an extension of this

deadline to complete the investigations from May, all the way to July, a 2-month extension, and I am quoting the New York Times of January 28 of this year, White House and Republican congressional leaders have said they see no need to extend the congressionally-mandated deadline now set for May 27, and a spokesman for Speaker HASTERT said Tuesday that Mr. HASTERT would oppose any legislation to grant the extension.

Then, in early February of this year, the White House again flip-flopped and reversed course in support of an extension of the investigation into government failings surrounding the September 11 terrorist attacks. The Bush administration had opposed expanding the charter of the bipartisan 9/11 Commission beyond the May 27 expiration date, but bowed to demands from victims' families and Democrats and to the panel's request for more time. Speaker HASTERT was reluctant to support this extension, but he also flip-flopped. He bowed to pressure and agreed to support an extension in late February.

Then, when the Commission finally came in with its report in July, a few weeks ago, the Republicans in Congress sought to delay the review of the 9/11 Commission recommendations until after recess, until after, so that they would not have anything ready to go before Congress until after the November 2 elections.

Mr. DELAHUNT. Mr. Speaker, if I could interrupt, and if the gentleman would yield, my memory of the press conference conducted by Chairman Kean, the Republican from New Jersey, and by Lee Hamilton, the Democrat from the Indiana, with the unanimity of the bipartisan Commission, underscored and emphasized the need to move expeditiously to protect the United States from a recurrence of the kind of attack that occurred on 9/11. Is that an accurate statement?

Mr. NADLER. Yes, indeed. The Chairman, Governor Kean, and the vice chairman, former ranking member Hamilton, stressed that we are in a war; we are in a very serious war with terrorists, and speed is of the essence, and we should do this now. We should consider these recommendations now and enact them expeditiously and not wait till next year or until after the November elections.

Mr. DELAHUNT. Mr. Speaker, now here we are, heading towards an election, with obviously complex legislation to be drafted based upon those recommendations put forth by the Commission so that our homeland, the security of the United States, is enhanced, and yet, and maybe you can inform me and the American people who might be viewing us this evening, when was the concept, the idea of the 9/11 Commission first proposed in the aftermath of the attacks on our homeland on September 11?

□ 2115

Mr. NADLER. Well, I do not remember the exact date, but people were talking about this commission not long after 9/11. And, in fact, in early 2002 they were doing it. In July 2002, I quoted this before, the administration issued a statement of policy opposed to the creation of such a commission. In July of 2002, which meant in the spring of 2002, people were pushing it. So 2 years ago, or 2½ years ago.

Mr. DELAHUNT. Right, Mr. Speaker, better than 2½ years at this point in time this concept was introduced. We know from newspaper reports, from statements made by the leaders of the Republican Party in this House, as well as statements made by President Bush and others in the administration that there was a reluctance to cooperate with the 9/11 Commission.

Mr. NADLER. Well, there was a reluctance to have a 9/11 Commission, then there was a reluctance to cooperate with the 9/11 Commission, because, remember, they had to beg and threaten, threaten subpoenas to get information out of the administration. Then they had to threaten subpoenas to get witnesses before the commission. Then there had to be heavy political pressure because, with all these delays, they could not finish their work by the legislatively mandated time at the end of May; and so they sought a 2-month extension, and the administration and the Republican leadership of the House said no. So there had to be heavy pressure from the Democrats, from the public, from the families of the victims to get them the extension so they could finish their job.

Then, when they got the extension and they made their recommendations at the end of July, and they said, okay, now it is time to move on this, then the Republican leadership in the House said, we cannot move on this. We will not have time to do it before the election, maybe until next year. Then there was heavy pressure from the Democrat leadership, from Democrats and the families of the victims, and others, and, finally, finally, the Republicans have now said, only in the last couple of weeks, that they are now going to try to have legislation enacted before the election.

And I am glad the Republican leadership has flip-flopped once again on this, because at least I will say this, when they are pressured by the Democrats, when they are pressured by the families of the victims, when they are pressured by the American people, when they are pressured by the media, at least on this subject, they flipflop in the right direction, toward what they should have been doing earlier.

Mr. DELAHUNT. Well, Mr. Speaker, again, I guess my frustration, if the gentleman will continue to yield, is that in the aftermath of our national tragedy, if this proposal, and I presume it was put forward sometime from September of 2001, several months thereafter, if it had been acted on in good

faith, with full cooperation from the White House, with the support of both parties in this House and in the Senate, we very well might have had the exact same report that we now have, that was presented to the American people just recently, months if not years ago so that we could have been in a position in the distant past to have acted in a responsible, thoughtful way to adopt those limitations that passed through the legislative process. Where would we have been?

Mr. NADLER. Mr. Speaker, reclaiming my time, I would agree with the gentleman. It is very clear that had we acted with dispatch, the commission could have been appointed at least a year or 16 months earlier than it was, and it could have had its report ready a year or 16 months earlier than it did, and we could have acted on that report a year or 16 months earlier than we will, and we could have started implementing these things.

This is part of a pattern. And the pattern is that despite these flipflops, despite this bowing to Democratic pressure to act, this administration, this House, the Senate still is not doing nearly enough to make this Nation safer. Osama bin Laden is still at large. We did not finish the job in Afghanistan. The Taliban has reemerged. The illegal drug trade is booming in Afghanistan. The warlord disarmament is behind schedule. Why? Because we took the resources away. In the fall of 2002, we started taking the resources, the troops who could have founded Osama bin Laden, the Rangers who knew how to look, and we took them away to put them in Iraq.

Mr. Speaker, I want to read two paragraphs from an article in the current issue of the American Prospect about the war on terrorism. It says, "The President, as he revealed last week, doesn't think," and this is an article by Matthew Yglesias. The title is "Surrender Monkey in Chief."

"The President, as he revealed last week, doesn't think he can win the war on terrorism. That is a bit of an off-message remark for a man whose reelection campaign is predicated on the notion that only he can win the war on terrorism. Worse, the statement suggests the President has only a passing familiarity with the generally accepted meaning of the term 'war on terrorism.'"

"Even stranger than this, however, is what the President said he thinks is possible. 'I think you can create conditions so that those who use terror as a tool are less acceptable in parts of the world.' Total victory may indeed be setting the bar too high, but is it so unreasonable to expect the President to promise that his policies will reduce the incidence of terrorism, mitigating the problem if not completely solving it? Apparently so."

"George Bush not only won't bring us total safety, he won't even make us safer. Instead he will make those who threaten us 'less acceptable.' He won't

thwart their efforts to achieve their goals, the imposition of a neofundamentalist Caliphate on the Islamic world, followed by God knows what. He will simply discourage them from 'using terror as a tool' to advance that goal. It's a starkly pessimistic vision."

Now, that is the paragraph from this article by Matthew Yglesias in the *American Prospect*, but it is quite correct. The President, Mr. Speaker, will not even recognize the nature of this war. He keeps calling it a war against terrorism. But the fact is we are not fighting against terrorism as a technique, nor, are we, in fact, fighting against all people who use terrorism as a technique. We are not at war with the Irish Republican Army, who do not threaten the United States. We are not at war with the Baath terrorists who threaten Spain, but not the United States. We are not at war with the Tamil Nadu terrorists who want a separate Nadu state in Sri Lanka, and who use terrorism against the Sri Lankans but not against the United States.

We are at war against Islamic terrorists, against those in the Muslim world who think it their duty, who think it their religious mission to carry on a Jihad, to carry on a religious war using terrorist messages against the West in general and the United States in particular. That is who we are at war against. And if we do not admit who we are at war against, who have declared war on us, it is very difficult to define the war properly and the measures necessary to wage that war properly.

That is one of the reasons why the President badly mistakes and the Vice President badly mistakes, and most of the speakers at the Republican convention last week badly mistake when they conflate the war in Iraq with the war on terrorism. The war in Iraq is a different war. Iraq is not part of the terrorist threat.

Saddam Hussein was a standard fascist thug dictator, of whom there are, unfortunately, 40 or 50 in the world.

Mr. DELAHUNT. If the gentleman would yield on that, Mr. Speaker.

Mr. NADLER. I will yield.

Mr. DELAHUNT. I think we all agree, and there is not a single individual in this House that would disagree with the statement that Saddam Hussein represented the kind of a despot and the kind of thug and the kind of dictator that we all find reprehensible. But what I find ironic is that in our effort to undermine and to defeat Saddam Hussein, we have now allied ourselves with similar thugs, with similar despots, with similar reprehensible heads of state.

I find it fascinating that Secretary of Defense Rumsfeld visits Uzbekistan and praises the President of Uzbekistan, Ivan Karimov, who to call a thug is a disservice to the term thug. He is absolutely a replica of Saddam Hussein. There are some 6,000 political prisoners today in Uzbekistan. And what do we hear from the White House,

what do we hear from the Department of State? Nothing. Nothing. Yet when we read the Department of State's report on human rights abuses in Uzbekistan, it is damning. It is damning.

What do we hear about the thug, the despot by the name of Turkman Bashi, who resides in Turkmenistan, who is also our new friend and ally, who by the way not only is a thug but is clearly a psychopath? Maybe the gentleman is unaware of this, but he changed the month of January, the name January, and named it after himself. But he has displayed a certain filial affection for his mother, because he then went forward and changed the name of the month of April and named it after his mother. And these are our new friends.

Mr. NADLER. Reclaiming my time, Mr. Speaker, I understand that that is the case. I also understand that that is part of the problem. We are engaged in a very serious war with the Islamic terrorists. We may have to ally ourselves, and I am not going to criticize the President on this point, we may have to ally ourselves, as we did in the Cold War, sometimes justifiably, sometimes not, with not-too-presentable allies against the people who really threaten us.

Winston Churchill, the great anti-Communist Winston Churchill, was a great anti-Communist for many years; and he also, of course, warned the world, and the British in particular, against the Nazis. And he went to war against the Nazis. Britain finally went to war against Germany. When Germany invaded Poland in 1939, Churchill became Prime Minister in 1940, and he rallied the British and rallied the Free World against the Nazis. And when the Nazis invaded the Soviet Union, who had been their allies and who Churchill hated, Churchill was asked, and he offered all aid to Stalin, who was another thug, Churchill was asked how can you say something nice about Stalin? Churchill said, I expect that if Hitler invaded hell I should find something nice to say about the Devil. So I am not going to criticize.

Mr. DELAHUNT. If the gentleman will yield just for a moment.

Mr. Speaker, I respect the gentleman's point. I guess what I am underscoring, though, is the repeated claim of a certain morality, a certain moralism, the distinction between good and evil. Yet the truth is we are allying ourselves, for convenience purposes, to individuals that are as evil as Saddam Hussein, who by the way we allied ourselves with back in the 1980s.

Mr. NADLER. The fact is, that is true. We are doing that. We did that in the 1980s and 1970s and 1960s, and there was lively debate in this country, and it is a pragmatic debate. Sometimes you have to ally with bad people because of the danger presented by other bad people. The question whether you should is sometimes a question of pragmatism, is it really necessary? Is it really necessary in order to advance

the greater cause of survival, the survival of liberty or the physical survival of the United States?

Now here I want to get back to the main point I wanted to make. Iraq's Saddam Hussein is a fascist thug. Terrible. But there are 30 or 40 others just as terrible. We do not seek to go to war against all of them to change those regimes. The only justification for going to war against another country, with the possible exception if it is committing genocide, is self-protection: to protect the United States, to protect our own people, to protect our friends and allies against invasion, against attack.

□ 2130

But because we attacked Iraq which was not a threat to the United States, we diverted resources from the real war against the Islamic terrorists. We did not find Osama bin Laden in Afghanistan. Dick Clarke, the former National Security Director, testified we had specialized troops in Afghanistan that could have found him, but they were taken away and the job was given to Afghanistani warlords. Who knows who gave them the higher pay, us or Osama bin Laden. They did not do the jobs because our troops were taken to Iraq. Now we have now shifted the resources back, so Dick Clarke says, well, we will find Osama bin Laden, but in those 2 years, al Qaeda has morphed. It has become many different organizations. It has become Hydra-headed. So capturing Osama bin Laden will not give us the yield in increased safety that doing so 2.5 years ago might have done.

And why did we do that, to deal with a threat that we now know, and we should have known then, there were no weapons of mass destruction in Iraq? There were no nuclear weapons in Iraq. We had no operational connections with al Qaeda, to quote the 9/11 Commission findings, no real reason to go to war with them at all except the President now retroactively says they were nasty people. Sure, they were nasty people; but that does not justify going to war and having 1,000 American troops killed so far, and thousands of Iraqi citizens killed so far because we decided it would be nice to have a democratic regime there. Sure it would. I do not know if it is going to happen. The more likely result is prolonged quagmire and civil war in Iraq.

The fact is that should not have been on the front burner. We should have finished the job in Afghanistan and finished the job in going after al Qaeda.

Equally to the point, we spent \$200 billion in Iraq, a total waste of money, and between the \$200 billion that we have spent in Iraq so far and the trillions of dollars of tax cuts to the wealthy this administration and this country have passed, this administration is not willing to spend the money on what they should spend the money on to protect us. This administration does not take seriously enough the terrorist war being waged against us by the Islamic jihaadists.

From before 9/11, when the Bush administration ignored many warnings, to this day, this administration refuses to spend the money necessary to protect the American people. Two months after 9/11, there were proposals in this House to spend \$10 billion to protect our nuclear and chemical facilities and our transportation terminals against attacks which could kill or wound thousands of people. The administration opposed those proposals. Those proposals died. On ABC News tonight we saw pictures of trains going across tracks a few blocks from here, trains carrying chlorine gas and other lethal chemicals, unprotected; trains that, if attacked with a rocket-propelled grenade that pierced those cars, would loosen clouds of chlorine which could kill hundreds of thousands of people in Washington.

This administration refuses to spend the money to buy the weapons-grade plutonium and uranium in the former Soviet Union which could easily be smuggled out to make atomic weapons because they care more about tax cuts for the wealthy and this misbegotten quagmire in Iraq than about protecting the American people from the real threats.

When I saw in real-time, and I was watching on television, I saw the second plane go into the World Trade Center, I had two thoughts immediately. My first thought, my God, this is a terrorist attack. And my second thought was thank God they do not have access to nuclear weapons. Three thousand people were killed. If that had been a 10-kiloton nuclear bomb, which is a baby as they go these days, it would have been half a million people, and yet we are not doing what we should to make sure that that will not happen.

I just finished reading a rather terrifying book by Graham Allison, "Nuclear Terrorism," which predicts flatly if we do not change our policies and start showing some real urgency, that within 10 years there will be nuclear explosions in New York, Chicago, Los Angeles and Washington, and God knows where else. Millions of Americans will die, but this administration is dragging its feet.

The 9/11 Commission and leading non-proliferation experts say the administration has been too lax in securing nuclear weapons and materials in Russia and other parts of the former Soviet Union.

Mr. Speaker, the knowledge of how to make nuclear weapons is widespread. When President Bush said that if given weapons-grade material, weapons-grade plutonium and uranium, Iraq could build a nuclear bomb within a year, he was correct; but so could 20 other countries, if given the weapons-grade material, build a nuclear bomb within a year. So could al Qaeda, and so could a lot of sophisticated terrorist groups. The problem is getting that weapons-grade nuclear material. That is what countries spend millions of dollars to do. That is why we built Han-

ford and Oak Ridge in World War II. That is why Iran and Pakistan are trying to get lots of centrifuges, but you have to get hold of that material. Hundreds and hundreds of tons of it are lying around, enough to build thousands of bombs, in the former Soviet Union, guarded by a colonel who may not have been paid lately just waiting to be sold on the black market or smuggled to al Qaeda.

We have an agreement with the Russians under the Threat Reduction Initiative of Nunn-Lugar. Again, that is a bipartisan initiative. Senator Nunn is a conservative Democrat; Senator LUGAR, Republican chairman of the Foreign Relations Committee. That bipartisan initiative was passed in 1991 to acquire that material. We have an agreement with the Russians to do it over a 30-year period.

Mr. DELAHUNT. Mr. Speaker, if the gentleman would yield, given what happened on September 11, 2001, it just makes common sense to accelerate the Nunn-Lugar efforts to reduce that 30 years to a significantly shorter period of time, make it months rather than 30 years, to protect not just the homeland, but to protect the world from a nuclear disaster.

Mr. NADLER. Mr. Speaker, I certainly agree with the gentleman. The 9/11 Commission in their final report said, "Outside experts are deeply worried about the U.S. Government's commitment and approach to securing the weapons and highly dangerous materials still scattered in Russia and other countries of the former Soviet Union."

Mr. DELAHUNT. Mr. Speaker, I wonder out loud whether that \$200 billion that we have already expended of taxpayers' dollars in Iraq, if that had been diverted to deal with the real enemy, and I think the gentleman makes an excellent point, it is absolutely essential that we agree to identify the enemy that poses a threat to the United States. I am not referring again to nation states.

Mr. NADLER. The problem is that there seems to be an obsession in the Bush administration with nation states, Iraq being one of them. The real enemy here is not nation states right now. The real enemy are the Islamic terrorist groups, al Qaeda, Hamas, Hezbollah and various others. They keep morphing and having new names and groups. They work together. They have tremendous technical sophistication. They have a lot of people, and they have the ability to threaten us with nuclear weapons.

Let me say, to quote Daryl Kimball, the executive director of the Arms Control Association, "All of the experts I know recommend that the most urgent task to prevent terrorist networks from getting their hands on such materials is to secure the stockpiles of these materials where they exist, and the prime location is Russia and the former Soviet Union."

Before September 11, 2001, the Bush administration intended to eliminate

funding for this program, eliminate it, but they did reverse course after the terrorist attacks. Most critics agree that the pace is too slow and the scope is too narrow.

Mr. DELAHUNT. Mr. Speaker, how much on a yearly basis is expended by this White House?

Mr. NADLER. We are now spending about \$400 million a year.

Mr. DELAHUNT. Four hundred million dollars annually over a 30-year period, my math was never too good, but it clearly pales in comparison to the \$200 billion that we have already expended in Iraq.

Mr. NADLER. Mr. Speaker, I agree with the gentleman. To quote Joseph Cirincione, the Director for Non-proliferation of the Carnegie Endowment for International Peace, the author of the book "Deadly Arsenals & Tracking Weapons of Mass Destruction," we should be aiming to do all of this in the next 4 years, and Senator KERRY must have read that book because his proposal is to do it in 4 years.

Mr. DELAHUNT. Mr. Speaker, I do not want to get into politics, but I think the gentleman makes an excellent point with clarity by identifying the issue, and the issue is it is important that we all understand what enemy are we describing and talking about when we talk about a threat to the United States.

The administration continues to suggest that somehow by invading Iraq, we will have deterred terrorism, but the reality is it is just the opposite. Attacks are on the rise throughout the world. An NBC News analysis that was viewed on September 2, just last week, showed that of the roughly 2,930 terrorism-related deaths since 9/11, 58 percent of them have occurred this year. That is in excess of 1,700. We just picked the paper up this past weekend and witnessed a horrific incident.

Mr. NADLER. Mr. Speaker, 3 years after 9/11, the number of terrorist incidents is going up. The number of recruits for these terrorist groups are increasing far faster than we can kill or decapitate them. They have morphed and decentralized so even if we capture the people around bin Laden, or even bin Laden, it will not matter as much as if we had done it 2.5 years ago because new leaders have arisen.

To finish, and this is the Director of the Carnegie Endowment for International Peace talking about securing all of the nuclear materials in the next 4 years, "What we should be doing is implementing a very aggressive program to go out and secure and eliminate all potential source of nuclear weapons and materials that terrorists might obtain, whether in the former Soviet Union, Afghanistan, Iran, or more than 40 countries that run research reactors." Would this be expensive? Yes. But we could do it annually for the price of 1 month of operations in Iraq, 3- to \$4 billion a year for 4 years would do the trick, and yet President Bush has tried to cut this funding repeatedly.

What I find baffling is why the White House has insisted on attacking the most peripheral elements of the WMD threat, like Iraq, while ignoring, largely ignoring, the central threat, nuclear proliferation. The upshot, and this is a quote from a column in the New York Times by Nicholas Kristof a month ago, in fact a month ago and 2 days, "The upshot is that the risk that a nuclear explosion will devastate an American city is greater now than it was during the Cold War, and it is growing."

So the first thing we should be doing is spending our money, the money that we are now wasting on a tax cut for the rich, the money that we are wasting on the quagmire in Iraq. A far more important use of it is to control the production cycle for nuclear materials. That is how you shut off the risk of nuclear explosions.

The second thing, this administration inspects only 2 percent of the 6 million shipping containers that come into this country every year, any one of which could hide a chemical, biological, or nuclear weapon inside it.

I had an amendment on the floor of this House a year ago to insist that we inspect every container. When I say inspect every container, I do not mean that someone has to go through it by hand. That has to be done in some cases, but in most cases you set up a machine that operates through neutrons or neutrons, which is probably a better technology. It costs a couple of million dollars for the machine, and you set it up in Singapore or Hong Kong, and it is like a car wash. You take the container on a truck or train chassis through it, and it tells you what is in it.

□ 2145

It tells you the elements. It is spectroscopic. If you see uranium in it or plutonium, then maybe you look through it. And if you see a lot of nitrogen where it should not be, then you say maybe there are explosives in there and you look through it. You could do this again for a couple of billion dollars a year, inspect every container before it gets put on a ship in a foreign port bound for the United States.

When I brought this up on the floor of the House, the distinguished chairman of the appropriations subcommittee said, No, we don't need to do that. We will inspect the high-risk containers. I said, Mr. Chairman, the terrorists know that. They'll put the bombs in the low-risk containers. If you read the book "America the Vulnerable" by Steve Flynn who served under Presidents Bush and Clinton and Reagan, you see exactly how a very innocent container with innocent stuff in it from perfectly legitimate, reputable firms can have a bomb or a biological weapon or a radiological bomb, a dirty bomb placed in it in various ways while it is in transit.

We must inspect these. You can then, after inspecting them, put certain elec-

tronic things on it that communicates with a GPS satellite and tells you if it has been tampered with or opened or moved on board this ship before it comes into port here. Then you can hold that ship outside American territorial waters. Why we are not doing that is again beyond me.

The Bush administration, if there is a nuclear attack in this country, if there is a radiological bomb, a dirty bomb in this country and if it comes in by container, will have a lot to explain.

And another question. Why are we spending \$100 billion on an antiballistic missile system? We are told, assuming it worked, which it does not yet, but eventually it will, we are told that the ABM is necessary in case some rogue state, North Korea, Iran, whoever, should get three or four atomic bombs and wished to attack the United States. But a rogue state that got three or four atomic bombs and wished to attack the United States would not put the atomic bomb on a missile.

Aside from the fact that it is harder to design an atomic bomb to put on a missile than in a shipping container, a missile has a return address. If, God forbid, a nuclear explosion occurred in an American city or cities, our radar would tell us where that missile came from and that regime would know, that dictator would know that if they did that, they would cease to exist, their country would cease to exist and they would cease to exist half an hour later. It is called deterrence. It works against nation states who are rational.

What they would do would be to take that bomb, put it in a shipping container, ship comes into the United States, New York or Los Angeles or wherever, explodes and we do not know who to retaliate against. That is the real danger. That is how the danger will occur to this country and that we are doing virtually nothing against, certainly not spending \$100 billion.

Mr. DELAHUNT. Yet meanwhile, and these are very valid points that you are making, the United States is bogged down in Iraq. Reports from media outlets just this week, the Secretary of Defense, Mr. Rumsfeld, and the Chairman of the Joint Chiefs of Staff, General Myers, now admit that we have lost control of parts of Iraq. The number of cities not under U.S. or central government control is growing. Pause and think of that for a moment. First Fallujah, then Ramadi, Baqubah and Samarra, now Najaf and Karbala, perhaps soon part of Baghdad City itself, Sadr City. This is reported by the New York Times. The reality is that security is so bad that a U.S. general says it may be necessary to delay or skip over voting in violent areas in order to hold elections in January. But clearly what would that do to the legitimacy of the interim government? What would that do to the future of democracy in Iraq?

Mr. NADLER. Clearly, to answer your question, there will be no legitimacy. There is no legitimacy for that

government there now. There will be no legitimacy for any government that is a result of elections in which large parts of the country do not participate, and I think it is probably illusory at this point to hope that there is going to be a democratic regime in Iraq any time soon.

But what this really points out, what these facts really point out is that this administration through very ill-advised policies, through not doing what Senator KERRY and others urged a year and a half ago, to internationalize it, to say to other countries, we will surrender to you the monopoly, we will share it with you, we will share with you the decision-making power, we will share with your companies the business contracts for reconstruction if you send in your troops to help reconstruct and if you help do this. They are not going to do it now. But if this had been done, then it might have been possible to have the Iraqi people see what is going on there as an international reconstruction of their country, rather than an American occupation, because an occupation will bring forth as it now has a nationalist insurgency resulting in a real quagmire. I do not know how to get out of it. The worst problem is we are now deeply engaged in a quagmire that no one has a good idea how to get out at this point.

Mr. DELAHUNT. The gentleman's point is corroborated by an American military officer. Let me read what a U.S. officer in Sadr City, which is that restive part, a slum area, if you will, in Baghdad, what he said. He spoke on condition of anonymity, but this was reported in Jane's Weekly, a highly respected defense journal published in Britain. I am quoting him now:

"We're supposed to turn our zones over to the Iraqi National Guard by October. They are not ready for that. So unless it is coincidence, it seems politically driven bearing in mind the Presidential election in November. I know how it must have felt in Vietnam. Everything we do is driven by political considerations. We don't have enough forces to stay here. We move into Sadr City and then we leave and each time the Mahdi Army, that is the army of the Mullah Saddah, comes straight back in."

That is the reality of Iraq at this moment in time, and it is only worsening and it is underscored by what happened this week. Tragically, tragically, the 1,000th U.S. hero was killed in Iraq.

Mr. NADLER. And tragically that is going to continue. But Iraq is essentially, despite the fact that we are spending \$200 billion so far, despite the fact that 1,000 Americans so far have been killed and 6 or 7,000 wounded, Iraq is a side show in the war of terrorism that is being waged against us by the Islamic jihadists and we are not directing our attention and our resources toward where they are really needed because we are diverted by Iraq.

As I said before, Saddam Hussein was not a real threat to this country. He



had terrible will, he had terrible intentions; but we had him contained. He did not have the weapons. He did not have the capability. We had him contained with the no-fly zones, and we had him deterred.

The real threat to the United States in the Middle East is Iran, because Iran is not a fascist dictatorship. Iran is a religious fanatic dictatorship. Religious fanatics cannot be deterred. You cannot deter a suicide bomber. If Saddam Hussein had gotten nuclear weapons, which he was nowhere near getting, the CIA said 7 to 10 years, and we knew that before we attacked them. But had he gotten nuclear weapons, deterrence would have stopped him from using them, because he was a fascist dictator, not a religious fanatic, and he did not want to just kill himself and his whole country.

But the mullahs in charge, the ayatollahs in charge in Iran are religious fanatics and unless that regime is changed, and there is a lot of domestic opposition to it and maybe we will be saved by regime change, by domestic insurrection, but if that does not happen, they are trying to get nuclear weapons; and if Iran gets nuclear weapons, if a religious dictatorship, religious fanatic dictatorship gets nuclear weapons, they may very well use them. They say they would. You read the speeches of Mr. Rafsanjani, the former president, the current chairman of the council of expediency. He says they would use it. They say they want to destroy American civilization, and you have to take them at their word. We cannot permit this regime if it survives to have nuclear weapons, even if that should mean a few years down the road the necessity for military action because they might use those nuclear weapons simply for the greater glory of Allah. They say they would. You have to believe them. If it became necessary, if President Bush or President KERRY or their successor 5 years from now or 8 years from now came before this House and said, based on our intelligence, we know that the Iranians are about to get nuclear weapons, and we know that they would use them and we must stop them now, and therefore I ask authorization for action, who would believe that President?

We cried wolf in Iraq. Like the fabled shepherd boy who cried wolf, we have no credibility, not this administration certainly and even another administration will have a long way to go to regain the credibility of the United States and of our intelligence agencies. To deal with a nonexistent phantom threat in Iraq, we have made the problem of dealing with a very possibly real mortal threat in Iran in years to come 40 or 50 times more difficult because that is where the threat might really be.

Mr. DELAHUNT. I just want to read into the RECORD a quote by a former distinguished Member of this body that commanded respect on both sides of the aisle. I refer to a good Republican

from Nebraska, Doug Bereuter, who was the vice chair of the Permanent Select Committee on Intelligence and, as you well know, one of the most respected Members of this House. In a farewell letter to his constituents, this is what he had to say:

"It was a mistake to launch the invasion of Iraq." And to underscore the point that the gentleman from New York was making, "Our country's reputation around the world has never been lower and our alliances are weakened. Now we are immersed in a dangerous, costly mess and there is no easy and quick way to end our responsibilities in Iraq without creating bigger future problems in the region and in general in the Muslim world."

I daresay what he is saying is our credibility is at its lowest point probably in modern American history. That does present a threat to our national security as we go forward.

Mr. NADLER. I thank the gentleman and I thank Representative Bereuter for being honest and being right. Unfortunately, he is right. We are in a quagmire in Iraq. We must extricate ourselves. I do not know how, frankly. We must extricate ourselves, and we must get our priorities straight. We have a war being waged against us by the Muslim terrorists, not by all Muslims, but by the Muslim terrorists. There is a civil war going on in the Muslim world. We must have Radio Free Islam. We must try to help the moderates against the jihadists.

But we must also protect ourselves. We must fight the terrorists, but we must lead a worldwide civilized effort against the Islamic terrorists. To do that we have to have credibility around the world. We have to have alliances around the world. It is not wrong to have alliances. When Vice President CHENEY said, shamefully, that if Senator KERRY is elected President, our country would not be safe, I think it more accurately could be said the other way around, because this administration does not have its priorities straight. It is not protecting us against the threat of Islamic jihadists having nuclear weapons, as they will if we do not get control of those nuclear materials as fast as possible, if we do not spend \$3 billion or \$4 billion a year for the next 4 years and get them the heck out of Russia and Uzbekistan and Pakistan and the 40 countries around the world.

We are at risk if we do not protect our ports by having every container inspected electronically or by hand before it is put on a ship bound to the United States. We are at risk if we do not protect our nuclear facilities and our chemical facilities and our transportation facilities in this country, if we do not harden this country.

We have been talking about this, but we will not spend the money. This administration talks a great game about national security, but it will not spend the money. It will spend it in Iraq, it will spend it on an ABM system

against a nonexistent threat, but against the real threats of nuclear terrorism, of nuclear explosions in this country, against the real threats of bombs coming in in a container, of the real threat of missiles, of shoulder-fired missiles being launched on American airliners, against the real threat of our nuclear facilities, our chemical facilities, our transportation facilities being targeted, we are not spending the money because they care about Iraq, they care about the ABM, they care about the tax cuts for the rich, but they do not seem to really care about the safety and security of the American people; or if they do care, they do not seem to understand where the real dangers are coming from.

□ 2200

We must secure the nuclear materials. We must protect the containers and other shipping facilities abroad. We must protect the ships coming here. We must harden our nuclear and chemical and transportation facilities, and this will cost a lot of money. And we must ally with other countries in a worldwide alliance against the Muslim terrorists so that when a cell is broken up in Hamburg by German intelligence, by German police work, that helps us. We must have a worldwide effort here, and we must spend the money on the real threats and not on these phantom threats that this administration is preoccupied with.

#### SOCIAL SECURITY AND THE BUDGET

The SPEAKER pro tempore (Mr. CARTER). Under the Speaker's announced policy of January 7, 2003, the gentleman from Michigan (Mr. SMITH) is recognized for 60 minutes as the designee of the majority leader.

Mr. SMITH of Michigan. Mr. Speaker, those that have tuned into the previous presentation I think understand that there are many challenges facing the United States of America. There are many needs, whether it is health or education or welfare or more money for transportation or more money for national security. I think we need to pause for a moment sometime and ask ourselves how far and how much money should be spent by the Federal Government in solving an unlimited array of problems. National security certainly is important, and we have upped our stakes and upped our expenditures for national security.

I came to Congress 12 years ago; and when I came in, I said I was going to serve six terms. So this is my final term in Congress. Several priorities I set for myself that I thought were important for the Federal Government to deal with, and one was balancing the budget and the other was trying to change Social Security so it becomes solvent, so it stays viable for so many of our senior Americans that need that money to stay out of the poverty level.